



Serial No. 09/439,217

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REMARKS

Reconsideration of this application is now being requested. Claims 1-5, 8, 10 and 12 are now in this application.

Claims 1, 2, 4, 5 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Malcolm et al, U.S. Patent No. 5,790,939, in view of Huston et al., U.S. Patent No. 5,790,939. Specifically, the office action alleges that "Huston provides evidence of receiving aiding information (i.e., timing signals from a certain repeater) associated with at least one satellite signal and holding information (i.e., inherently included in repeater unique identification) for indicating when the aiding information expires (i.e., allocated time window) (col. 6, lines 20-35 and 46-60)." Applicant respectfully disagrees. Assuming timing signals from a certain repeater can be construed to be the equivalent of aiding information, Huston fails to disclose receiving holding information for indicating when the alleged aiding information, i.e., timing signals from a certain repeater, expires.

First, the office action alleges that Huston discloses a unique identifier which inherently includes holding information. Applicant disagrees that such an identifier can be construed to inherently include holding information. The unique identifier of Huston identifies the repeater. There is no teaching or suggestion in Huston that any other type of information, much less holding information, is inherent in the unique identifier. That is, Huston does not disclose deriving holding information (or any other type of information) from the unique identifier.

Second, the office action alleges that the alleged holding information, i.e., information inherently included in the unique identifier, indicates when the alleged aiding information, i.e., timing signals from a certain repeater, expires. The office action further alleges Huston discloses an allocated time window which indicates when the alleged aiding information expires. Applicant disagrees for a number of reasons. First, the holding information was earlier alleged in the office action to indicate when the aiding information expires. The office action alleges that the holding information is inherently included in the unique identifier. Thus, the office action would necessarily have to show that the information inherently included in the unique identifier would indicate when the timing signals from a certain repeater (alleged aiding information) would expire. The office action fails to show this (nor would it be able to show this using Huston). Second, the time window does not indicate when the timing signals from a certain repeater (alleged aiding information) would expire. Huston discloses a time window corresponding to an interval for transmitting the timing signals (alleged aiding information) and the unique

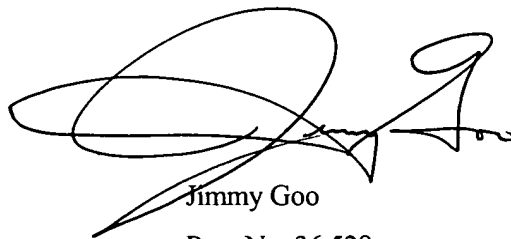
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identifier (alleged holding information). Such a transmit time window does not indicate expiration of the timing signals or anything else. Note that such transmit time window is received (as would be required by the claims).

Accordingly, it is felt that claims 1, 2, 4, 5 and 8 are patentable under 35 U.S.C. §103(a) over Malcolm et al in view of Huston et al.

No additional fee is due.

Respectfully submitted,
Christopher B Barroso
Byron H Chen
Giovanni Vannucci

A handwritten signature in black ink, appearing to be 'Jimmy Goo', with a large, stylized loop at the beginning and a trailing flourish.

Reg. No. 36,528

Date: 05 February 2004